

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

OREN FRANKS,
Plaintiff,
v.
LENS.COM, INC.,
Defendant.

Case No. 2:24-cv-00724-JAD-NJK

Order
[Docket No. 23]

Pending before the Court is Defendant's motion to stay discovery pending resolution of motions to transfer other cases to the District of Nevada. Docket No. 23. Plaintiff submitted a notice of non-opposition. Docket No. 24. The motion is properly resolved without a hearing. *See* Local Rule 78-1.

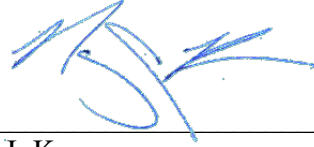
The Court has broad discretionary power to control discovery. *See, e.g., Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). The party seeking a stay of discovery bears the heavy burden of making a strong showing that discovery should be denied. *Turner Broad. Sys., Inc. v. Tracinda Corp.*, 175 F.R.D. 554, 556 (D. Nev. 1997). Discovery may be stayed when: (1) there is a pending motion that is potentially dispositive in scope and effect; (2) the potentially dispositive motion can be decided without additional discovery; and (3) the Court has taken a "preliminary peek" at the merits of the underlying motion and is convinced that Plaintiff will be unable to state a claim for relief. *Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013).

Defendant's motion fails to meet, let alone mention, the standards for a stay of discovery. *See Flynn v. Nevada*, 345 F.R.D. 338 (D. Nev. 2024). Instead, Defendant requests that the Court grant a stay of *proceedings*, and analyzes the request under the *Landis* factors, which are used to determine whether a court should stay a case. Docket No. 23 at 5-11; *see also Landis v. N. Am. Co.*, 299 U.S. 248 (1936). Given the failure to provide meaningfully developed argument or the appropriate legal framework, the Court declines to address the dispute presented.

1 Accordingly, the motion to stay discovery is **DENIED**. Docket No. 23. A joint discovery
2 plan must be filed by October 17, 2024. *See* Local Rule 26-1.

3 IT IS SO ORDERED.

4 Dated: October 10, 2024



Nancy J. Koppe
United States Magistrate Judge